

MEMORANDUM

Agenda Item No. 11(A)(1)

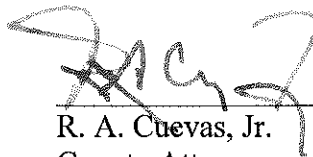
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 18, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the County
Mayor to provide pre-paid return
envelopes for absentee ballots

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr. and Co-Sponsor Vice Chairwoman Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 18, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(1)

9-18-12

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO PROVIDE PRE-PAID
RETURN ENVELOPES FOR ABSENTEE BALLOTS

WHEREAS, Miami-Dade County recently has experienced examples of alleged absentee ballot fraud; and

WHEREAS, absentee ballot fraud is typically associated with ballot brokers who seek to influence absentee voters by, among other methods, offering to pay the cost of postage for the return of absentee ballots to the Supervisor of Elections; and

WHEREAS, providing postage pre-paid return envelopes for absentee ballots will decrease the ability of ballot brokers to illegally influence voters in Miami-Dade County; and

WHEREAS, the right to vote is a fundamental right in a democracy and should not be impeded by the payment of any costs such as postage; and

WHEREAS, the cost for providing pre-paid return envelopes would not exceed one hundred and seventy thousand dollars (\$170,000.00) in any county-wide election,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. It shall be the policy of this Board to provide postage pre-paid return envelopes for all absentee ballots sent out by the Supervisor of Elections. The County Mayor or County Mayor's designee is hereby directed to provide postage pre-paid return envelopes for domestic absentee voters in all elections in Miami-Dade County commencing with the November 6, 2012 general election.

Section 2. In the event that there are insufficient funds in the budget for the Department of Elections, the County Mayor or County Mayor's designee is directed to provide the necessary funding to the Department of Elections for all costs of providing pre-paid return envelopes for domestic absentee ballots through the mid-year budget amendment.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. and the Co-Sponsor is Vice Chairwoman Audrey M. Edmonson. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

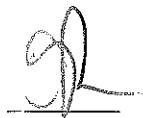
The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of September, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Oren Rosenthal